

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

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|----------------------------------|---|---|
| STEPHANIE CLIFFORD, | : | Case No. 2:19-cv-00119 |
| | : | |
| Plaintiff, | : | Judge Michael H. Watson |
| | : | |
| v. | : | Magistrate Judge Elizabeth Preston Deavers |
| | : | |
| SHANA M. KECKLEY, et al., | : | |
| | : | |
| Defendants. | : | |

RULE 26(f) REPORT

Pursuant to Federal Rule of Civil Procedure 26(f), a meeting was held on April 15, 2019 and was attended by:

Chase A. Mallory, counsel for plaintiff Stephanie Clifford,

Daniel J. Sabol, counsel for plaintiff Stephanie Clifford,

Larry H. James, counsel for defendant(s) Keckley, Lancaster, Praither, and Rosser,

Christopher R. Green, counsel for defendant(s) Keckley, Lancaster, Praither, and Rosser,

Natalie P. Bryans, counsel for defendant(s) Keckley, Lancaster, Praither, and Rosser.

Counsel represent that, during the meeting, they engaged in a meaningful attempt to meet and confer on the matters outlined below.

1. CONSENT TO MAGISTRATE JUDGE

Do the parties consent to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c)?

 Yes x No

2. INITIAL DISCLOSURES

Have the parties agreed to make initial disclosures?

☐ Yes ☒ No ☐ The proceeding is exempt under Rule 26(a)(1)(B)

If yes, such initial disclosures shall be made by: **Not applicable.**

3. VENUE AND JURISDICTION

Are there any contested issues related to venue or jurisdiction?

☐ Yes ☒ No

If yes, describe the issue:

None.

If yes, the parties agree that any motion related to venue or jurisdiction shall be filed by

Not applicable.

4. PARTIES AND PLEADINGS

- a. The parties agree that any motion or stipulation to amend the pleadings or to join additional parties shall be filed by June 14, 2019.
- b. If the case is a class action, the parties agree that the motion for class certification shall be filed by: **Not applicable.**

5. MOTIONS

- a. Are there any pending motion(s)?

☐ Yes ☒ No

If yes, indicate which party filed the motion(s), and identify the motion(s) by name and docket number: **Not applicable.**

- b. Are the parties requesting expedited briefing on the pending motion(s)?

Not applicable.

If yes, identify the proposed expedited schedule: **Not applicable.**

6. ISSUES

Jointly provide a brief description of case, including causes of action set forth in the complaint, and indicate whether there is a jury demand:

The claims in this case arise from an incident on July 11, 2018 in which Defendants arrested Plaintiff for an alleged violation of O.R.C. 2907.40(C)(2). Plaintiff's Complaint sets forth five causes of action: (1) false arrest in violation of the 4th and 14th Amendments and Ohio common law; (2) malicious prosecution in violation of the 4th and 14th Amendments and Ohio common law; (3) civil conspiracy to violate the 4th and 14th Amendments; (4) abuse of process in violation of Ohio common law; and (5) abuse of process in violation of Ohio common law. Both parties have issued a jury demand.

The Defendants raise the issue as to the status of the City of Columbus ("City") as a potential party in this lawsuit. To date, the City has not been joined as a defendant.

7. DISCOVERY PROCEDURES

- a. The parties agree that all discovery shall be completed by November 15, 2019.

The Parties agree to schedule their discovery in such a way as to require all responses to discovery to be served prior to the cut-off date, and to file any motions relating to discovery within the discovery period unless it is impossible or impractical to do so. If the parties are unable to reach an agreement on any matter related to discovery, they are directed to arrange a conference with the Court. To initiate a telephone conference, counsel are directed to join together on one line and then call the Magistrate Judge's chambers or provide the Court with a call-in number.

- b. Do the parties anticipate the production of ESI? _____ Yes x No

If yes, describe the protocol for such production:

Not applicable.

- c. Do the parties intend to seek a protective order or clawback agreement?

The parties have not yet agreed that a Protective Order is necessary in this case or the terms thereof.

8. DISPOSITIVE MOTIONS

- a. Any dispositive motions shall be filed by December 6, 2019.
- b. Are the parties requesting expedited briefing on dispositive motions?

 Yes x No

If yes, identify the proposed expedited schedule: **Not applicable.**

Opposition to be filed by December 27, 2019; Reply brief to be filed by January 10, 2019.

9. EXPERT TESTIMONY

Yet to be determined.

10. SETTLEMENT

Plaintiff(s) will make a settlement demand by July 1, 2019. Defendant will respond by August 1, 2019. The parties agree to make a good faith effort to settle this case. The parties understand that this case will be referred to an attorney mediator, or to the Magistrate Judge, for a settlement conference. The Court refers cases to settlement throughout the year. The parties request the following month and year:

September 2019

In order for the conference to be meaningful, the parties agree to complete all discovery that may affect their ability to evaluate this case prior to the settlement conference. The parties understand that they will be expected to comply fully with the settlement conference orders which require, *inter alia*, that settlement demands and offers be exchanged prior to the conference and that principals of the parties attend the conference.

11. RULE 16 PRETRIAL CONFERENCE

Do the parties request a scheduling conference?

 x Yes, the parties would like a conference with the Court prior to it issuing a scheduling order. The parties request that the conference take place x in chambers by telephone.

 No, a conference is not necessary; the Court may issue a scheduling order after considering this Report.

12. OTHER MATTERS

Indicate any other matters for the Court's consideration:

The status of the City as a potential party in this lawsuit. To date, the City has not been joined as a defendant.

Signatures:

Attorney for Plaintiff(s):

/s/ Chase A. Mallory
Counsel for: Plaintiff Stephanie Clifford
Bar # 0084728

/s/ Daniel J. Sabol
Counsel for: Plaintiff Stephanie Clifford
Bar # 0081403

Attorney for Defendant(s):

/s/ Larry H. James
Counsel for: Defendants Keckley, Lancaster,
Praither, and Rosser
Bar # 0021773

/s/ Christopher R. Green
Counsel for: Defendants Keckley, Lancaster,
Praither, and Rosser
Bar # 0096845

/s/ Natalie P. Bryans
Counsel for: Defendants Keckley, Lancaster,
Praither, and Rosser
Bar # 0097697